N. Subrahmanya Iyer, Esq., M. A.
R. Ananda Row, Esq., B. A. & B. L.
N. Raman Pillai, Esq., B. A.
M. Krishnan Nair, Esq., B. A. & B. L.
P. Kesava Pillai, Esq., B. A. & B. L.
M. Madhavan Tampi, Esq.
R. Easwara Pillai, Esq., B. A.

K. Narayanan Pandalay, Esq., B. A. & B. L.,.... *Secretary.*

Mr. N. Raman Pillai, B. A., the Excise Commissioner, also attended.

Section 33, Clause (a).

Mr. Subrahmanya Iyer. –As the words "maund" and "import" have already been defined in Section 3, Clauses (n) and (p), respectively, I propose that this Clause be recast as follows:—"impose a duty on every maund of salt manufactured in or imported into Travancore".

Seconded by Mr. Ananda Row.
Carried.

Section 33, Clause (b).

Mr. Subrahmanya Iyer.—I propose that the word "increase" be inserted before the word "reduce" in line 1. The reason for the amendment is obvious.

Seconded by Mr. Vieyra.
Carried.

Section 34.

Mr. Subrahmanya Iyer.—I propose that the expression "whether by sea or land" in line 4, be omitted for the reason already stated by me in regard to Clause (*a*) of Section 33, I also propose that the word "Government" be substituted for the words "Dewan with Our sanction" in lines 7 and 8.

Seconded by Mr. Ananda Row.
Carried.

Section 35.

Mr. Subrahmanya Iyer.—I propose that the words "unless for Government purposes" be inserted between the words "removed" and "from" in line 10. This amendment is necessary to legalise the removal of salt from a port depot to a salt bankshall, or to any other Government institution such as an Agricultural Expermental Farm.

Seconded by Mr. Ananda Row.
Carried.

Section 39.

The Excise Commissioner pointed out that the words "within his jurisdiction" added in line 12 of this Section by the Select Committee, would necessarily limit the sphere of detection and search by an Excise Inspector. In the Abkari Regulation, as well as in the Madras Salt Act, there was no such restriction. The Section as it stood would prevent an Inspector of one Range from making a search in a place which was just beyond the border of that Range. The interests of the Government required that contraband salt, wherever found, was searched for and taken into custody with the least possible delay.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Subrahmanya Iyer.—In view of the observations made by the Excise Commissioner, I propose that the words "within his jurisdiction" in line 12 be omitted.

Seconded by Mr. Ananda Row.

Carried.

Section 42.

Mr. Subrahmanya Iyer.—I propose that the words "person refusing" be substituted for the word "refusal" in the marginal note to this Section.

Seconded by Mr. Ananda Row.

Carried.

Section 45.

Mr. Subrahmanya Iyer —I propose that the word "arrested" be inserted before the word "person" in the marginal note to this Section.

Seconded by Mr. Ananda Row.

Carried.

Section 47.

Mr. Ananda Row.—I propose that the word "above" be substituted for the words "in Section 46" at the end of para 2 of this Section.

Seconded by Mr. Vieyra.

Carried.

Section 56.

Mr. Subrahmanya Iyer.—Section 170 of the Criminal Procedure Code empowers, by Clause (*c*), Magistrates to take cognizance of offences against Excise laws upon reports received from an Excise officer. I therefore propose that the words "or (*c*)" be inserted between "(*b*)" and "Section" in line 21.

Seconded by Mr. Ananda Row.

Carried.

Section 67.

Mr. Subrahmanya Iyer.—Here, in the reference to Section 77, Clauses (*e*) and (*g*) are misprints for (*d*) and (*f*), respectively. I therefore propose that "(*d*)" and "(*f*)" be substituted for "(*e*)" and "(*g*)".

Seconded by Mr. Raman Pillai.

Carried.

Mr. Subrahmanya Iyer.—I think that the penalty prescribed by this Section may be made the same as in the corresponding Section of the *Madras Act, viz., Rs. 200.* I therefore propose that the word "two" be substituted for the word "one" between the words "to" and "hundred" in the last line.

Seconded by Mr. Ananda Row.

Carried.

Section 70.

Mr. Subrahmanya Iyer.—I think that the period of previous notice prescribed by this Section should be two months, as in the Abkari Regulation and the Police Regulation. I therefore propose that the words "two months'" be substituted for the words "one month's" between the words "officer" and "previous" in line 9.

Seconded by Mr. Ananda Row.

Carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Gazette and copies thereof were also circulated among the Members. It will be seen from the Report that Mr. Kesava Pillai, a Member of the Select Committee, has recorded a dissenting minute. Due intimation of these amendments has also been given to the Members. I move that the Report be now taken up for consideration by the Council.

Seconded by Mr. Krishnan Nair.

The motion was put and agreed to.

Section 1, Clause (4) i (e).

Mr. Kesava Pillai.—I propose that the following proviso be inserted after the words "High Court" at the end of this sub-clause:—"Provided that a single Judge shall not have the power to dispose of an application to implead the representative of a deceased appellant or respondent, when it is opposed as out of time, and the date of the death of the appellant or respondent is a matter in dispute between the parties." This proviso is necessary, as, otherwise, the clause would practically tie the hands of a Division Bench by reason of the order of a single Judge.

Seconded by Mr. Madhavan Tampi.

Carried.

Section 1, Clause (4) i (f).

Mr. Kesava Pillai.—I propose that the word "or" at the end of line 11, be omitted and that the words "or order" be inserted between the words "sentence and "of" in line 12.

Seconded by Mr. Easwara Pillai.

Carried.

Mr. Kesava Pillai.—I also propose that the following proviso be added at the end of this sub-clause:—

"Provided that a single Judge shall not have the power to reject an application by a prisoner to revise the conviction or sentence against him." This amendment is necessary to preserve the privilege which a prisoner now enjoys.

Seconded by Mr. Madhavan Tampi.

After some discussion, Mr. Kesava Pillai withdrew the amendment.

Section 1, Clause (4) iii.

Mr. Kesava Pillai.—I propose that this clause be omitted because it is not known what all applications are meant to be included in it.

Seconded by Mr. Madhavan Tampi.

Carried.

Section 2.

Mr. Ananda Row.—I propose that the words "2nd Edavom 1086" in line 3 and the words "15th May 1911" in line 4 be omitted, as these dates have to be altered.

Seconded by Mr. Vieyra.

Carried.

Mr. Ananda Row.—I beg to move that the Bill as now amended by the Council, be read again on a future day of which notice shall be given.

Seconded by Mr. Krishnan Nair.

Carried.

THE REGISTRATION BILL.

Mr. Raman Pillai.—I beg to move that the Registration Bill, as amended by the Council, be taken up for final reading.

LIBRARY ARCHIVES Kerala Legislative Assembly